

# BOARD OF MEDICINE

## Open Session Minutes

February 28, 2024 8:36 AM

**VIRTUAL MEETING**

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### **VIRTUAL MEETING NOTICE**

*Information on how to access the public portion of the meeting virtually is listed below:*

Join by Web:

**Join by Web:**

<https://dcnet.webex.com/dcnet/j.php?MTID=m7f823658b3b1e1556a59c90709042b04>

**Join by Phone:**

+1-202-860-2110 United States Toll (Washington D.C.)

1-650-479-3208 Call-in number (US/Canada)

**Access Code:**

160 487 2313

**BOARD MISSION STATEMENT:**

“To **protect** and enhance the health, safety, and well-being of District of Columbia residents by **promoting** evidence-based best practices in health regulation, high standards of quality care and implementing policies that **prevent** adverse events.”

The Open Session Minutes continue on the next page with the ‘Board Meeting Participants’.

**BOARD MEETING PARTICIPANTS:**

<b>BOARD MEMBERS:</b>	
Andrea Anderson, MD (AA)	
William Strudwick, MD (WS)	
Jeffrey Smith, MD (JS)	
Archie Rich (AR)	Absent
Konrad Dawson, MD (KD)	
Asad Bandealy, MD (AB)	Absent
Carolyn Gorman, MD (CG)	
Padmaja Pavuluri, MD (PP)	
Daanish Jones (DJ)	
VACANT (Physician Member)	
VACANT (Physician Member)	
VACANT (Physician Member)	
VACANT (Consumer Member)	
VACANT (Consumer Member)	
<b>BOARD STAFF:</b>	
Sithembile Chithenga- Executive Director	
Lisa Robinson – Health Licensing Specialist	
Mary Harris – Health Licensing Specialist	
Charles Annor – Health Licensing Specialist	
Kim Quickley – Health Licensing Specialist	
Rona Rawls – Health Licensing Specialist	Absent
Chiquita Badgett – Health Licensing Specialist	
Ashley Callaham – Health Licensing Specialist	
Sabrina Gillison – Health Licensing Specialist	
Emilia Moran – Investigator	
<b>LEGAL STAFF:</b>	
Suzanne Fenzel, Esq. – Board Attorney Advisor	
Ajay Gohil, Esq. – Board Attorney Advisor	
<b>DC HEALTH STAFF</b>	
Matteo Lieb, Office of Government Affairs	
<b>GUESTS:</b>	
PIA Duryea - MSDC	
Wendy Chen - Applicant	

**The Open Session Minutes continue on the next page with the ‘Call to Order’.** <sup>1</sup>

<sup>1</sup> The order in which the following agenda items are listed does not necessarily reflect the order in which the items were discussed during the meeting.

**CALL TO ORDER**

OS-24-02-01  ALL	<p><b><u>INTRODUCTIONS</u></b></p> <p><b>A. BOARD MEMBERS</b></p> <p><b>B. BOARD STAFF</b></p>
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**APPROVAL OF MINUTES, CONSENT AGENDA, BOARD POLICIES, AND STAFF REPORTS**

OS-24-02-02  ALL	<p><b><u>BOARD/DEPARTMENT REPORT</u></b></p> <p><b>A. BOARD CHAIR’S REPORT</b></p> <ul style="list-style-type: none"> <li>i. The Board Chair reported that DC Health has moved to a new location and congratulated staff on returning to business as usual so quickly.</li> <li>ii. The Board Chair reported that she just returned from the Board of Directors meeting at the Federal State Medical Board (FSMB) and there are two new reports that went out to the House of Delegates that the board needs to opine on. The reports have been sent out by Dr. Chithenga. The comments are due by March 5, 2024. The first report was regarding regulations of residents in training and extending licensure of the trainee for the duration of the program. The second report was regarding Artificial Intelligence (AI) recommendations proposed for state boards on dealing with AI.</li> <li>iii. The Board Chair reported she will be running for re-election as Board Chair in April 2024.</li> </ul> <p><b>B. EXECUTIVE DIRECTOR’S REPORT</b></p> <ul style="list-style-type: none"> <li>i. <b>DC Health Updates</b> The Executive Director reported DC Health has moved to our new location at 2201 Shannon Place SE and we are still in the settling process, however all services have been resumed. We will communicate how in person meetings will go forward. All communication will reflect our new address. We are gearing up for two major renewal periods, the MTL MTR renewal period which is slated for April 1, 2024. We are working with our IT department to automate our systems to ensure a faster renewal process. Soon we will meet with the graduate medical coordinators in each program to give them all the information they</li> </ul>	SC
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need to supply to the new incoming residents. The physician renewal period will begin at the end of this year, an update will be forth coming. One of the big changes we are enforcing is the CBC requirement for all license types.

ii. **Advisory Committees**

The Executive Director provided an update on the advisory committees. The advisory committees have begun to meet. The Certified Midwives and physician assistants have submitted a regulation mark-up and will present at the March meeting.

iii. **Board Vacancies/MOTA Update**

The Executive Director provided an update on current Board vacancies. MOTA is working to fill all physician and consumer member vacancies.

iv. **Licensure Census**

The Executive Director will provide an update on the current licensure census in the District of Columbia.

- Acupuncturist 151
- Anesthesiologist Assistant 134
- Athletic Trainer 115
- Chinese Herbology 34
- Medical Training License I(A) 1160
- Medical Training License I(B) 326
- Medical Training License II 25
- Medical Training Registrant 235
- Medicine And Surgery 12531
- Naturopath Physician 62
- Osteopathy And Surgery 802
- Physician Assistant 1246
- Polysomnographic Technician 1
- Polysomnographic Technologist 58
- Polysomnographic Trainee 1
- Surgical Assistant 121
- Trauma Technologist 4
- DMV Physican Reciprocity – 258
- IMLC Compact – 359

**C. BOARD ATTORNEY’S REPORT**

No Report

**D. OFFICE OF GOVERNMENT RELATION'S REPORT**

DC Health FY 23 Performance Oversight Hearing

§ DC Health recently had its performance oversight hearing in the Committee on Health for Fiscal Year 2023.

§ The first part of the hearing was held on January 18th, 2024. That hearing featured public witnesses and included representatives from advocacy organizations, healthcare systems, and non-profit providers. That hearing can be watched at the following link.

§ Representatives from DC Health then testified to the Committee on January 22nd, 2024. Testimony was provided by Director Bennett and other members of leadership and subject matter experts. Councilmembers asked questions of DC Health on a variety of topics including health professional licensing, DC Health's upcoming move, maternal health, food access, opioid abatement, and school health. That hearing can be watched at the following link.

Board Performance Oversight Hearing

§ On February 14th, the Committee on Health held a Performance Oversight for the following health professional licensing boards:

- o Board of Dietetics and Nutrition
- o Board of Massage Therapy
- o Board of Nursing
- o Board of Veterinary Medicine

§ The hearing featured testimony from public witnesses as well as from Chairpersons and Executive Directors of the boards. You can watch the hearing at the following link.

Health Professional Licensing Boards Residency Requirement Amendment Act of 2023:

	<p>§ Councilmembers Henderson and Parker introduced the Health Professional Licensing Boards Residency Requirement Amendment Act of 2023 (B25-0312) on June 2, 2023.</p> <p>o This legislation would permit non-District residents to serve on health professional licensing boards.</p> <p>o There would be restrictions, including that the Board Chair and Consumer Members would continue to need to be District residents and no more than 50% of the Board could be made up of non-District residents. § This bill received a hearing on July 13, 2023. DC Health testified during this hearing and expressed support for the need for innovative solutions to fill board vacancies and offered some changes to the bill. It then passed on final reading on November 7th, was signed by the Mayor on November 21st, and became official law on January 23, 2024</p>	
<p>OS-24-02-03</p> <p>ALL</p>	<p><b><u>OPEN SESSION MINUTES</u></b></p> <p><b>Board Action:</b> Consideration of the Open Session minutes from the January 31, 2024, meeting.</p> <p><b>Background:</b> The Open Session Minutes are a record of the Board’s past meeting(s), describing the events, list of attendees; a statement of the issues considered and related responses or decisions of the Board.</p> <p><b>Motion:</b> <b>Motion made by Dr. Smith to approve the minutes. Seconded by Dr. Strudwick.</b></p> <p><b>Vote:</b> <b>Dr. Anderson, Dr. Strudwick, Dr. Dawson, Dr. Pavuluri, Dr. Gorman, Dr. Smith and Ms. Jones voted in favor of the motion. The motion passed.</b></p>	<p>LR/SC</p>
<p>OS-24-02-04</p> <p>ALL</p>	<p><b><u>OPEN CONSENT AGENDA</u></b></p> <p><b>Board Action:</b> Consideration of the current open Consent Agenda items for purposes of review and/or ratification of Board actions taken since the last Board meeting.</p>	<p>LR</p>

	<p><b>Background:</b> The Open Consent Agenda is a record of the decisions and/or actions taken by the Board or its staff since the last meeting of the Board.</p> <p><b>Motion:</b> <b>Motion made by Dr. Smith to approve the minutes. Seconded by Dr. Strudwick.</b></p> <p><b>Vote:</b> <b>Dr. Anderson, Dr. Strudwick, Dr. Dawson, Dr. Pavuluri, Dr. Gorman, Dr. Smith and Ms. Jones voted in favor of the motion. The motion passed.</b></p>	
OS-24-02-05	<p><b><u>17 DCMR 6517 SELF-ADMINISTERED HORMONAL CONTRACEPTIVE PRESCRIPTIONS</u></b></p> <p><b>Board Action:</b> For the Board to vote on the proposed final rule following submitted comments and committee review.</p> <p><b>Background:</b> In 2018, D.C. Council passed the Defending Access to Women’s Health Care Services Amendment Act of 2018 which, among other things, required the Boards of Pharmacy and Medicine to jointly develop and issue regulations for pharmacists to prescribe and dispense self-administered hormonal contraceptives. A committee was established with members from both boards and the regulations, protocol and questionnaire were developed. The proposed regulations were published on May 26, 2023, and comments were received from the Medical Society of DC (MSDC), CVS Health, NAD Albertsons (Safeway Pharmacies). MSDC expressed generalized concerns about the development of the protocol and questionnaire, among other things, and CVS and Safeway Pharmacies had specific requests about some of the requirements. The Board of Medicine reviewed the proposed comments at its July 26, 2023 meeting and proposed sending them to the committee for their review. Members of the committee from the Board of Pharmacy and Dr. Anderson, the only BOM committee member still on the Board, have reviewed the</p>	SF



	<p>comments. In summary, no changes are recommended to the proposed rules.</p> <p><b>Motion:</b>  <b>Motion made by Dr. Gorman to accept final ruling and return to the sub-committee for protocol. Seconded by Dr. Gorman.</b></p> <p><b>Vote:</b>  <b>Dr. Anderson, Dr. Strudwick, Dr. Dawson, Dr. Pavuluri, Dr. Gorman, Dr. Smith and Ms. Jones voted in favor of the motion. The motion passed.</b></p>	
<p>OS-24-02-06</p> <p>All</p>	<p><b><u>PUBLIC COMMENTS</u></b></p> <p><b>Background:</b>  To provide the public with the opportunity to comment or provide feedback to the Board.</p> <p>Pia Duryea commented that the Medical Society of the District of Columbia (MSDC) is working on gender equity and compensation for physician pay scales and looks forward to working with the Board.</p>	

**The Open Session Minutes continues on the next page with ‘Motion to Close’**

**MOTION TO CLOSE**

OS-24-02-07

**MOTION TO CLOSE**

ALL

**Board Action:**

To go into closed session to discuss confidential matters as permitted in DC Official Code § 2-575(b).

**Background:**

Pursuant to DC Official Code § 2-575(b), the Board will move into the Closed Executive Session portion of the meeting to discuss the following:

1. To consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body, or to approve settlement agreements pursuant to § 2-575(b)(4)(a).
2. Preparation, administration, or grading of scholastic, licensing, or qualifying examinations pursuant to section § 2-575(b)(6).
3. To discuss disciplinary matters pursuant to section § 2-575(b)(9).
4. To plan, discuss, or hear reports concerning ongoing or planned investigation of alleged criminal or civil misconduct or violations of law or regulations, if disclosure to the public would harm the investigation pursuant to section § 2-575(b)(14).

**Motion:**

**Motion made by Dr. Smith to close Open Session and move to Executive session. Seconded by Dr. Strudwick.**

**Vote:**

**Dr. Anderson, Dr. Strudwick, Dr. Dawson, Dr. Pavuluri, Dr. Gorman, Dr. Smith and Ms. Jones voted in favor of the motion. The motion passed.**

**The Open Session Minutes continues on the next page with 'Motion to Adjourn'. The next meeting is virtual and will be held on **March 27, 2024**.**

**MOTION TO ADJOURN**

OS-24-02-08

**MOTION TO ADJOURN**

ALL

**Board Action:**

To adjourn the meeting.

**Background:**

At the end of every meeting, a motion to adjourn must be made in open session to close out the business of the Board.

**Motion:**

**Motion made by Dr. Strudwick to move Open Session and to adjourn. Seconded by Dr. Pavuluri.**

**Vote:**

**Dr. Anderson, Dr. Strudwick, Dr. Dawson, Dr. Pavuluri, Dr. Gorman, Dr. Smith and Ms. Jones voted in favor of the motion. The motion passed.**

**This ends the Open Session Minutes.**

*This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at [opengovoffice@dc.gov](mailto:opengovoffice@dc.gov). 3 DCMR § 10409.2*